

REMARKS

Claims 1-34 are pending in the present application. Claims 1, 21 and 28 are independent claims.

Applicant would like to direct the Examiner's attention to amendments to independent claim 1 and claim 8. Old independent claim 8 is now dependent upon independent claim 1. Independent claim 1 has been amended to further clarify the claimed invention.

Allowed Claims

Applicant appreciates Examiner's indication of allowance of claims 21-34, including independent claims 21 and 28. The Examiner has indicated that claims 5-7 and 9-20 would be allowable if rewritten into independent form. Applicant submits in view of the remarks below and the present amendments to independent claim 1 and claim 8 that these claims are allowable in their present form.

35 U.S.C. 102

Claims 1, 4 and 8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Schlekewey. Applicant respectfully traverses this art grounds of rejection.

Schlekewey discloses a sector shaping transition system and method. The Examiner alleges that Schlekewey teaches all of the features described in independent claim 1 in column 10, line 28 to column 11, line 13. Fig. 4A illustrates a block diagram of circuitry to provide an antenna beam, beam 1...beam N, for defining each sector of a cell serviced by a BTS. Schlekewey notes that "a particular antenna beam is provided by the beam forming matrix may be adjusted to alter the shape and/or size of the antenna beam ultimately formed", but does not disclose or suggest adjusting the antenna transmit

direction (column 10, lines 60-63). This is further evidenced by Figs. 5A-8E, which illustrate various beam configurations; and therefore, sector configurations. Accordingly, Schlekewey does not disclose or suggest “determining a resultant antenna radiation direction within the ranges for each of the antennas in the wireless network or segment thereof in which to transmit based on the measured signal parameters to achieve desired performance criteria” as recited in independent claim 1.

Claims 4 and 8, dependent upon independent claim 1, are likewise allowable over Schlekewey in view of Feisullin at least for the reasons given above with respect to independent claim 1. Applicant respectfully requests Examiner withdraw this art grounds of rejection.

35 U.S.C. 103

Claim 2 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schlekewey in view of Feisullin. Applicant respectfully traverses this art grounds of rejection.

Applicant agrees with Examiner that Schlekewey fails to specifically disclose that the resultant antenna radiation direction is defined as a two dimensional vector representing the angle of azimuth from the corresponding antenna and a down-tilt angle from the corresponding antenna. However, even if Feisullin teaches this particular feature of claim 2, which Applicant submits it does not, Feisullin is insufficient in overcoming the deficiencies of Schlekewey as discussed above with respect to independent claim 1. As such, claim 2, dependent upon independent claim 1, is likewise allowable over the Schlekewey in view of Feisullin at least for the reasons given above with respect to independent claim 1. Applicant respectfully requests that Examiner withdraw this art grounds of rejection.

Claim 3 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Schlekewey in view of Jolma Petri. Applicant respectfully traverses this art grounds of rejection.

Applicant agrees with the Examiner that Schlekewey fails to specifically disclose determining a resultant antenna direction as including a central vector representing a peak gain of a main lobe of radiation, a first limit vector representing a first limit of radiation direction states, and a second limit vector representing a second limit of radiation direction states. However, even if Jolma Petri teaches this particular feature of claim 3, which Applicant submits that it does not, Jolma Petri is insufficient in overcoming the deficiencies of Schlekewey with respect to independent claim 1 as discussed above. As such, claim 3, dependent upon claim 1, is likewise allowable over Schlekewey in view of Jolma Petri at least for the reasons given above with respect to independent claim 1. Applicants respectfully requests that Examiner withdraw the art grounds of rejection.

Reconsideration and allowance of the pending claims is respectfully requested.

CONCLUSION

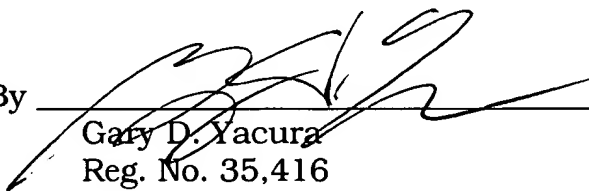
In the event that any matters remain at issue in the application, the Examiner is invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By



Gary D. Yacura
Reg. No. 35,416

P.O. Box 8910
Reston, VA 20195
(703) 668-8000

GDY/DAP:ybm